

Appl. No. 10/762,820

Amdt. dated April 4, 2006

Reply to Office Action of February 3, 2006

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-5 and 9- 10 (cancelled)

Claim 8 (previously presented)

Claim 6 and 7 (currently amended)

1. (Cancelled)
2. (Previously Canceled)
3. (Previously Canceled)
4. (Cancelled)
5. (Cancelled)
6. (Amended) ~~The improvement of claim 1~~ In an adaptive polling method for updating e-mails between at least one mail server and a mobile communication

device or mobile mailbox of such device, the improvement comprising: retrieving current pre-emptive criteria from said at least one mail server; comparing said current pre-emptive criteria to previously stored pre-emptive criteria; and in the event said current pre-emptive criteria do not equal said previously stored pre-emptive criteria then updating said e-mails between said at least one mail server and mobile communication device or mobile mailbox, and otherwise pre-empting said updating of said e-mails between said at least one mail server and mobile communication device or mobile mailbox; wherein said pre-emptive criteria comprise at least one of number of messages in said mailbox and size of said mailbox, and wherein the polling method is adapted for updating e-mails between multiple external mail servers and the mobile mailbox of the mobile device; the retrieving step comprises retrieving current pre-emptive criteria from each of said multiple external mail servers; and the comparison step comprises comparing said current pre-emptive criteria to previously stored pre-emptive criteria for respective ones of said multiple external servers; in the event said current pre-emptive criteria do not equal said previously stored pre-emptive criteria for a respective one of said multiple external mail servers then updating said e-mails between said respective one of said multiple external mail servers and said mobile mailbox, or otherwise pre-empting said updating of said e-mails between said respective one of said multiple external mail servers and said mobile mailbox; and wherein said pre-emptive criteria comprise at least one of number of messages in and size of the mailbox of a respective one of said multiple external mail servers.

7. (Amended) ~~The wireless communication system of claim 5~~ A wireless communication system comprising: a mobile device accessible via a wireless network; and a polling engine arranged to update e-mails between at least one mail server and at least one of the mobile device and a mobile mailbox of the mobile device, the polling device being capable of communicating with said at least one of

the mobile device and mobile mailbox and arranged to retrieve current pre-emptive criteria from said at least one mail server and compare said current pre-emptive criteria to previously stored pre-emptive criteria, and being further arranged to update said e-mails between said at least one mail server and said at least one of the mobile device and mobile mailbox in the event said current pre-emptive criteria do not equal said previously stored pre-emptive criteria or to otherwise pre-empt said updating of said e-mails between said at least one mail server and said at least one of the mobile device and mobile mailbox, wherein said pre-emptive criteria comprise at least one of number of messages in and size of said mailbox, and wherein said polling engine is arranged to update e-mails between multiple external mail servers and the mobile mailbox of the mobile device; the polling engine being arranged to retrieve current pre-emptive criteria from each of said multiple external mail servers, compare said current pre-emptive criteria to previously stored pre-emptive criteria for respective ones of said multiple external mail servers, and update said e-mails between said respective one of said multiple external mail servers and said mobile mailbox in the event said current pre-emptive criteria do not equal said previously stored pre-emptive criteria for a respective one of said multiple external mail servers, or to otherwise pre-empt said updating of said e-mails between said respective one of said multiple external mail servers and said mobile mailbox; wherein said pre-emptive criteria comprise at least one of number of messages in and size of the mailbox of a respective one of said multiple external mail servers.

8. (Previously Submitted) The wireless communication system of claim 7, including a wireless service engine for controlling data communication over said wireless network between said mobile device and said mobile mailbox.

9. (Cancelled)

10. (Cancelled)

### CONCLUSIONS

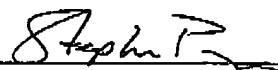
Claims 1, 4-5 and 9-10 have been cancelled and allowable claims 6-8 have been re-written in independent form.

Applicant believes that this application is now in condition for allowance. To the extent that any issues remain to be resolved, however, applicant requests that the Examiner contact the undersigned to resolve these issues.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-3750.

Respectfully submitted,

Date: April 4, 2006

  
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